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CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

1 APR 1974

DDI-980-74

MEMORANDUM FOR: The Honorable Kenneth Rush  
Chairman, NSC Under Secretaries  
Committee  
Department of State

SUBJECT : Draft Recommended Instructions for  
the Law of the Sea Conference

REFERENCE : NSC-U/SM-137C, Same subject,  
dated March 27, 1974

1. The Central Intelligence Agency has reviewed the Draft Recommended Instructions for the Law of the Sea Conference, prepared by the NSC Interagency Law of the Sea Task Force pursuant to NSDM 240. From an intelligence viewpoint we have no problems with the Instructions. The options seem to be fairly stated, and the significant strategic, political, and economic factors that must be taken into account are adequately considered.

2. As you know, a major contentious issue during preparation of the Instructions has been the establishment of an international regime and machinery. In our view, a decision at this time to drop support for an international regime and machinery, or to insist upon a very weak or "facade" regime would be detrimental to the successful completion of the Conference. Evidence at this point indicates that a substantial majority of the Conference participants regard the international regime and machinery as a direct corollary of the widely accepted "Common Heritage" concept of the deep seabed. To many participants, the concept also implies political participation in an ocean regime, a consideration at least as important to them as the potential economic benefits from shared revenues. Consequently, the delegation will have a difficult task negotiating an international regime and machinery that is widely acceptable, but, at the same time, provides a stable and nondiscriminatory investment climate for the development of deep seabed mineral resources.

/s/ Bill

W. E. Colby  
Director

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Law of the Sea Conference

CONCUR: \_\_\_\_\_  
Deputy Director for Intelligence

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Date

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